

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/831,164 Confirmation No. : 1111
First Named Inventor : Guenter ANDRASCHKO
Filed : August 9, 2001
TC/A.U. : 3634
Examiner : Gregory STRIMBU

Docket No. : 029209.49872
Customer No. : 23911

Title : Automatic Door or Window System

COMMUNICATION AND RE-SUBMISSION OF PETITION TO
WITHDRAW HOLDING OF ABANDONMENT

(Office Error)

Mail Stop Petitions

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant, by way of the undersigned, re-submits the attached Petition to Withdraw Holding of Abandonment. The Petition was submitted to the Office on March 29, 2006, as is evidenced by the attached copy of the return receipt postcard bearing the OIPE stamp. This Petition has not been acted on by the Office.


On October 26, 2006, the office for undersigned contacted the Petitions Branch to make a status inquiry regarding this Petition. Steven Brantley, of the Petitions Branch, stated that the Office did not have record of the Petition's receipt and advised the Applicant to resubmit the Petition with proof of receipt by the Office thereof.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 029209.49872).

Respectfully submitted,

November 3, 2006



James F. McKeown
Registration No. 25,406

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JFM:pjc

Attorney Docket: 029209.49872US
First Named Inventor: Guenter ANDRASCHKO
Serial No.: 09/831,164
Filing Date: August 9, 2001

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The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- X Petition to Withdraw Holding of Abandonment
- X Copies of docket records for August 29, 2003; September 29, 2003, and October 29, 2003

JFM:rcs



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/831,164
First Named Inventor : Guenter ANDRASCHKO
Filed : August 9, 2001
TC/A.U. : 3634
Examiner : G. Strimbu

Docket No. : 029209.49872US
Customer No. : 23911

Title : Automatic Door or Window System

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181(a) and MPEP 711.03(c)I

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant, by and through the undersigned attorney, respectfully petitions for revival of the above-identified application on grounds that abandonment thereof was unavoidable, or at the very least, unintentional. As the attorney in charge of the application has retired, the undersigned presents the following facts on information and belief.

During a telephone conversation between Examiner Gregory Strimbu and Donald D. Evenson, the retired attorney, on February 20, 2004, Mr. Evenson was advised that the above-identified application was abandoned for failure to respond to a Restriction Requirement mailed July 29, 2003. Examiner Strimbu

indicated that the Restriction Requirement was mailed to a previous address (Suite 700, 1200 G Street NW, Washington, DC 20005) although a Change of Correspondence Address giving the current address of applicant's representative law firm was filed in August 2001. Examiner Strimbu confirmed that the Change of Correspondence Address was received. Accordingly, the Change of Correspondence Address does not appear to have been entered.

Examiner Strimbu indicated that the Notice of Abandonment would be mailed to the correct address (P.O. Box 14300, Washington, DC 20044-4300), but the Notice was never received. Status inquiries were filed on March 7, 2003; March 26, 2004; and October 27, 2004, but no responses thereto were received.

Withdrawal of the holding of abandonment is hereby respectfully requested on grounds of non-receipt of the Restriction Requirement.

A search of the file jacket and docket records indicates that the Restriction Requirement dated July 29, 2003 was not received by the undersigned, applicants' counsel. Copies of counsel's docket records for August 29, 2003; September 29, 2003; and October 29, 2003 are enclosed, as the undersigned does not know how many months were provided for responding to the Restriction Requirement. The docket records contain no entry for the above-identified patent application.

No fee is believed due for this Petition. However, in the event a fee is required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 03-1323 (Ref. # 029209.49872US).

If there are any questions regarding this Petition or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Respectfully submitted,

March 29, 2006



James F. McKeown
Registration No. 25,406

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JFM:rcs

DAILY DUE DATES

August 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
381MP/49758	YTH	FOR/NOA ^{TBF PCF}	8/29/03	Reply, PCF	RMH
225144/51268	ELG	Issue Fee Pub. Fee	9/2/03	Issue Fee/Publisher	RMH
38111/482980	GRF	(no ext) Response		Colled	RMH
951/50459	WGA	(no ext) FOR/NOA		Colled	RMH
225144/50870	ELG	(no ext) Response	8/27/03	Answer, Inwork.	RMH
050207.50366	YFH	(no ext) Response		Colled	RMH
2070/12909	WJS	(no ext) Suspended		New Susp.-ing. mailed. Sess. Resp. Due. 11/25/03.	RMH
105/3322142	WJS	(no ext) Renewal.		Colled	RMH
095309.50712	HLG	(no ext) Resp.	8/28/03	Response	RRD
095309.50511	HLG	(no ext) Resp.	8/28/03	Reply	RRD
100337.542770	ALL	(no ext) Restriction.		Colled	RMH
100352.29444	WJS	(no ext) Resp.		Colled	RMH

DAILY DUE DATES

AUGUST 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
037/50337	VJS	Issue Fee pub. Fee ^{TRF}	8/29/03	Issue Fee pub. Fee	VJS VJS
037/50337	VJS	Formal Dt. TRF.	8/29/03	Formal Dt.	VJS
1798X/49777	GRF	Issue Fee pub. Fee	see matter-sheet	Case transferred to Seed on 7/2/03	VJS
1798X/49777	GRF	Formal Dt.	-11-	-11-	VJS
225/50983	SZ	Issue Fee pub. Fee	7/2/03	Issue Fee / Pub. Fee	^{NOJ} 7/2/03
225/48917	GRF	FOR / NOA	8/19/03	amended Polled	8/19/03 RA
225/47924	VJS	TRF FOR / NOA	8/29/03	Response Polled	VJS VJS
225/44/50233	WGA GRF	OR Response		Polled	VJS
225/51384	SZ	OR Response	7/17/03	Reply	^(W) 7/17/03
225/51259	VJS GRF	OR Response ^{TRF}	8/29/03	added, Drugs. associated	VJS
31346/50431	TRF VJS	FOR / NOA		Polled	VJS

DAILY DUE DATES

SEPTEMBER 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
029310.523765	KL1	Missing Parts	9/26/03	EX. DPA, 105	E
029310.5237705	KL1	Missing Parts	9/25/03	EX. DPA, Suppl. ADS	E
037236.5195705	GRE	Missing Leg. TBT	9/29/03	EX. DPA, 105,	RC
100337.5407745	PLT	Restoration		Colled	RC
950007.50366	JFH	(Insert) Respage		Colled	RC
37346/50431	HLC	(Insert) PET TBT FOR NDA	9/29/03	Reply, Insert, PET	RC
225/47024	YJS	(Insert) NDA		Colled	RC
95150459	WGA	(Insert) FTA/NTA	9/29/03	Andt, Insert, Hand carry Colled with	RC
28544/50233	WGA	(Insert) OR Respage		Colled	RC
23/3322142	WJS	(Insert) Respage		Colled	RC
00352.12944	WJS	(Insert) AOR		Colled	RC

September 29, 2003

[illegible]

DAILY DUE DATES

OCTOBER 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
1860/12543	AS	suu/ect.	Scheduled Attacked	See instruction letter Screen from ES	for
09530951354	ALD	Issue Fee Pub Fee	10/2/03	Issue Fee/Pub Fee	for
8739.16486	RS	Issue Fee	8/14/03	Issue Fee	for
029319.515195	HIC	Issue Fee Pub Fee	9/11/03	Issue Fee Pub Fee	for
080437.49880	JDS	Issue Fee Pub Fee	10/28/03	Issue Fee/Pub Fee	for
056209.50314	JFM	Issue Fee Pub Fee	10/28/03	Issue Fee/Pub Fee	for
056204.47963	JFM	Issue Fee Pub Fee	10/28/03	Issue Fee/Pub Fee	for
1308/50888	JDE	OR Reg/Issue	10/28/03	SEE ATTACH PUBS ADDITION	for
1242/42657	JTH	FOR/NOA	10/27/03	Attorney Reply	for
056228.48456	HIC/ WCH	FOR/NOA		POD	for
2257/50656	JDE	OR Reg/Issue	10/28/03	Reply. SubSpec.	for

for

DAILY DUE DATES

OCTOBER 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
225/5143445	GEZ	OR Response		ROLL	J
225/4957402	SZ	OR Response		ROLL	J
17844/49965	78E	OR Response	10/29/03	Response to be filed yet	
038739.23009	PS	Issue Fee	8/19/03	Issue Fee	(7)
100274.12994	Giv/WJS	SOL	8/4/03	SOL, specimen	WMA
100274.12925	Giv/WJS	SOL	8/4/03	SOL	WMA
038713.525034	JDE	Missing Parts	10/29/03	Miss Att Dec. Post	J
038819.52476V5	GRE	Missing Req.	10/29/03	Response. Dec. Post	J
056807.50366	JFH	(3 wo ext) Response	10/29/03	(3 wo ext) Response	J
225/477924	VJS	(2 wo ext) NOA	10/29/03	NOA 2 wo ext	J
100352.12944	WJS	(3 wo ext) NOA	8/29/03	NOA 2 wo ext	J

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be found.

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DAILY DUE DATES

October 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
22SMU/50233	WGA	(2mo ext) Refers	10/29/03	(2mo ext) Res DM.	R
193/33221A2	WJS	Final Renewal.	Set Adjud	Case transferred per USS & SDS	R
00337.5427745	RLT	(2mo ext) Restriction		Reel	R
225/48917	GRE	(2mo ext) NOA.		Reel	R
95/50459	WGA WGA	(3mo ext) NOA.		Case being allowed	KRD
225/51090	VJS	Restriction.	10/15/03	Response.	R
010479.5025301	HIC	Restriction.	See AHoch	Per HIC ABANDON	R